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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8)
9)
10) UNITED STATES OF AMERICA,) CASE NO: 2:03-cr-00010
11) Plaintiff,)
12) vs.) **ORDER TO CONTINUE PRELIMINARY
13) JOSEPH COPPOLA,) HEARING**
14) Defendants.) (Sixth Request)
15)
16)

17)

17 **FINDINGS OF FACT**

18 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
19 Court finds that:

20 1. The parties require additional time to prepare for the preliminary hearing in this
21 case. The Defense needs additional time to continue working on an issue that may
22 impact the preliminary hearing.

23 2. Defense Counsel has spoken with Assistant United States Attorney Melanee
24 Smith, and the Government agrees to the continuance.

25 3. Defendant Joseph Coppola is in custody, and he does not oppose the continuance.

26 4. The additional time requested herein is not sought for purposes of delay.

27 5. Denial of this request for a continuance would deny the parties sufficient time to
28 prepare for the preliminary hearing, taking into account the exercise of due
diligence.

6. Additionally, denial of this request for continuance could result in a miscarriage of justice.

CONCLUSION OF LAW

The ends of justice served by granting said continuance outweigh the best interests of the public and the defense, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the defendant sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for the preliminary hearing, taking into account the exercise of due diligence.

ORDER

IT IS THEREFORE ORDERED that the Preliminary Hearing scheduled for January 3, 2023, at the hour of 10:00 a.m., be vacated and continued to January 30, 2023 at 10:00 a.m., in LV Courtroom 3B.

DATED AND DONE this 30th day of December 2022.

Elyna J. Zouchah
UNITED STATES MAGISTRATE JUDGE